United Nations A/C.5/71/SR.13

General Assembly
Seventy-first session

Official Records

Distr.: General
16 January 2017

Original: English

Fifth Committee

Summary record of the 13th meeting
Held at Headquarters, New York, on Wednesday, 16 November 2016, at 10 a.m.

Chair: Ms. Nikodijevic (Vice-Chair) ..... (Serbia)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

Contents

Agenda item 134: Programme budget for the biennium 2016-2017 (*continued*)

Revised estimates resulting from the decisions contained in General Assembly resolution 70/290, entitled "High-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants"

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Thematic cluster I: special and personal envoys and special advisers of the Secretary-General

Thematic cluster II: sanctions monitoring teams, groups and panels

Report on the use of the commitment authority and request for a subvention to the Residual Special Court for Sierra Leone

Proposed regional restructuring of the Office of the High Commissioner for Human Rights: increasing efficiency and effectiveness in the implementation of General Assembly resolution 48/141

Agenda item 143: Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

Agenda item 115: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(e) Appointment of members of the Independent Audit Advisory Committee (*continued*)

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Management Section (dms@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

16-20299 (E)

Please recycle

In the absence of Ms. King (Saint Vincent and the Grenadines), Ms. Nikodijevic (Serbia), Vice-Chair, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 134: Programme budget for the biennium 2016-2017 (*continued*)

Revised estimates resulting from the decisions contained in General Assembly resolution 70/290, entitled "High-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants" (A/71/345 and A/71/597)

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Thematic cluster I: special and personal envoys and special advisers of the Secretary-General I (A/71/365/Add.1 and A/71/595/Add.1)

Thematic cluster II: sanctions monitoring teams, groups and panels (A/71/365/Add.2 and A/71/595/Add.2)

Report on the use of the commitment authority and request for a subvention to the Residual Special Court for Sierra Leone (A/71/386, A/71/386/Corr.1 and A/71/613)

1. **Ms. Bartsiotas** (Controller), introducing the Secretary-General's report on revised estimates resulting from the decisions contained in General Assembly resolution 70/290, entitled "High-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants" (A/71/345), said that, prior to the adoption of resolution 70/290, the Secretary-General had requested the General Assembly, through a statement of programme budget implications issued in accordance with rule 153 of the rules of procedure of the General Assembly (A/70/967), to approve an additional appropriation, representing a charge against the contingency fund, in the amount of $305,000 under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2016-2017, to implement the requests contained in the resolution.

2. Introducing the Secretary-General's reports on the proposed resources for 2017 for special political missions under thematic cluster I (A/71/365/Add.1) and thematic cluster II (A/71/365/Add.2), she said that the reports contained the proposed resources for 21 of the 23 missions under those clusters. The proposed resources for the Special Envoy of the Secretary-General for Yemen and the Special Adviser to the Secretary-General on Conflict Prevention, including in Burundi, would be submitted in a separate addendum. The missions grouped under thematic cluster I were global instruments through which the Organization pursued negotiated political settlements. In 2016, they had contributed to conflict prevention and the maintenance of international peace and security through early warning, mediation, preventive diplomacy, support for electoral processes, good offices and peacebuilding. Many of them were mandated to promote political solutions in conflict-affected areas. The 12 missions grouped under cluster II were Security Council sanctions monitoring groups, teams and panels, and other political initiatives authorized by the Council to maintain international peace and security. They comprised 59 experts deployed all over the world. The Department of Political Affairs, the Office for Disarmament Affairs and the Counter-Terrorism Committee Executive Directorate promoted cooperation among the panels and between the panels and other special political and peacekeeping missions.

3. The proposed resources for 2017 for the missions under clusters I and II amounted to $69.3 million; the overall increase of $8.7 million compared to the approved resources for 2016 was mainly attributable to the expansion of the mandate of the Office of the Special Envoy of the Secretary-General for Syria under cluster I in accordance with Security Council resolutions 2254 (2015) and 2268 (2016); lower projected vacancy rates for 2017 in three missions under cluster II; and increases in the resources proposed for the Counter-Terrorism Committee Executive Directorate. Taking into account the estimated combined overexpenditure of $1.5 million in 2016, which was funded through a commitment authority approved by the Advisory Committee for Administrative and Budgetary Questions and resulted

mainly from the expansion of the mandate of the Office of the Special Envoy of the Secretary-General for Syria, the General Assembly was requested to approve resources in the amount of $70.8 million for the missions.

4. Introducing the Secretary-General's report on the use of the commitment authority and request for a subvention to the Residual Special Court for Sierra Leone (A/71/386 and A/71/386/Corr.1), she said that the General Assembly, in its resolution 70/248 A, had authorized the Secretary-General to enter into commitments of no more than $2.4 million to supplement the voluntary financial resources of the Residual Special Court for Sierra Leone and had requested him to report to the Assembly on the use of the authority. The report addressed possible future financing arrangements and contained a request for a subvention to enable the Court to carry out its mandate in 2017. The Court had been funded initially through voluntary contributions and, in 2016, through a subvention under the programme budget. Despite the efforts of the Secretary-General, the Government of Sierra Leone, the States members of the Oversight Committee and the principals of the Court, the voluntary resources received were inadequate and there was no prospect of additional contributions. The Secretary-General therefore requested the General Assembly to approve a subvention in the amount of $2,980,500 for 2017. Any voluntary contributions received would reduce the utilization of the subvention, which would be reported in the second performance report on the programme budget for the biennium 2016-2017.

5. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report on the revised estimates resulting from the decisions contained in General Assembly resolution 70/290, entitled "High-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants" (A/71/597), said that the Secretary-General sought the General Assembly's approval for an additional appropriation in the amount of $305,000. The Advisory Committee was concerned regarding the method used to calculate the cost estimates and the fact that it was not possible to report on the actual expenditure for the activities undertaken, and therefore recommended that the Assembly should request the Secretary-General to absorb the additional requirements under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2016-2017. Strict compliance with rule 153 of the rules of procedure of the General Assembly was essential.

6. Introducing the Advisory Committee's report on the proposed resource requirements for 2017 for special political missions under thematic cluster I (A/71/595/Add.1), he said that the Advisory Committee recommended against approval of the Secretary-General's proposals for the establishment of one position of Political Affairs Officer (P-3) and one position of Administrative Assistant (Field Service) in the Office of the Special Adviser to the Secretary-General on Cyprus. In view of the fluid nature of the negotiation process and the need for specialized expertise, the Office should continue with the current arrangements and recruit temporary staff when required, rather than establish new positions. It should take advantage of the existing arrangements with the United Nations Peacekeeping Force in Cyprus to obtain additional support. The Advisory Committee recommended against approval of 4 of the 58 positions proposed for the Office of the Special Envoy of the Secretary-General for Syria, and against the redeployment of two local-level positions from the mission support component in Damascus to the Kuwait Joint Support Office. The utilization of that Kuwait Joint Support Office should be revisited in light of the Secretariat-wide deployment of Umoja and the future global service delivery model. In view of the number of vacant positions and the impact on recruitment of the operational and security challenges faced by the Office of the Special Envoy, the Advisory Committee recommended that, in estimating new staff requirements for 2017, vacancy rates of 60 per cent for international positions and 40 per cent for national positions should be applied.

7. Introducing the Advisory Committee's report on the proposed resource requirements for 2017 for special political missions under thematic cluster II (A/71/595/Add.2), he said that the Advisory Committee considered unrealistic the proposed vacancy rate of 0 per cent in 2017 for international positions for the implementation of Security Council resolution 2231 (2015), given that an actual vacancy

rate of 58 per cent was projected for 2016, and recommended that the 2017 requirements for international positions should be estimated on the basis of a vacancy rate of 30 per cent. For the Analytical Support and Sanctions Monitoring Team pursuant to resolutions 1526 (2004) and 2253 (2015), the Advisory Committee recommended the application of a vacancy rate of 10 per cent for international positions in 2017 instead of the proposed 0 per cent. The projected average vacancy rate for such positions in 2016 was 22 per cent.

8. Introducing the Advisory Committee's report on the use of the commitment authority and request for a subvention to the Residual Special Court for Sierra Leone (A/71/613), he said that the subvention requested by the Secretary-General in the amount of $2.9 million was equivalent to the total 2017 budget of the Court, given that no voluntary contributions were expected. The Court expected to incur expenditure of $1.4 million in 2016 against the authorized commitment authority of $2.4 million. The appropriation of the entire amount of the budget of the international component for 2017 would undermine the voluntary nature of the current funding arrangements and fundraising efforts. However, in view of the current funding challenges faced by the Court and the need to ensure stable funding for it, the Advisory Committee recommended that the General Assembly should authorize the Secretary-General to enter into commitments in an amount not to exceed $2.8 million. A sustainable long-term financing solution was needed.

9. **Ms. Wairatpanij** (Thailand), speaking on behalf of the Group of 77 and China, said that the Group's long-standing position was that the level of resources approved by the General Assembly must be commensurate with all mandated programmes and activities to ensure their full and effective implementation. The high-level plenary meeting on large movements of refugees and migrants, mandated by the Assembly in its decision 70/539, had been the first summit of Heads of State and Government on human mobility. By unanimously adopting the outcome document, the New York Declaration for Refugees and Migrants, the Member States had made a commitment to protecting the rights of and sharing responsibility for such people. A comprehensive approach to the matter was needed, and the Group had therefore supported the meeting and taken note, in its Ministerial Declaration of 23 September 2016, of the commitment in the outcome document to launch, in 2016, negotiations leading to the adoption of a global compact for safe, orderly and regular migration, at an intergovernmental conference in 2018. Given the modalities for the meeting, described in resolution 70/290, the Group supported the Secretary-General's request for additional conference-servicing resources in the amount of $305,000.

10. With regard to the use of the commitment authority and the request for a subvention to the Residual Special Court for Sierra Leone, the Group attached great importance to the smooth functioning of mandated judicial institutions and to the administrative and financial situation of the Court. It noted the information related to the use of the commitment authority, in particular the projected expenditure of $1.44 million for 2016. It was concerned that, despite the efforts of the Secretary-General and his team, the Court had been unable to obtain voluntary contributions or pledges for 2016 and 2017. The lack of sustainable funding could jeopardize judicial activities and mandate implementation. The Secretary-General's request for a subvention of $2.9 million reflected the fact that no pledges would be received for 2017 and that the host Government could not support the Court because of the effects of the Ebola crisis. In response to the mandate issued by the General Assembly in its resolution 70/248 A, the Secretary-General presented two options for the financing of the Court, including support from the International Residual Mechanism for Criminal Tribunals. The Group supported the Secretary-General's request for a subvention of $2.9 million for 2017, and would seek further information regarding the proposal that the Court should be funded through Member State assessments, in particular with regard to staffing, logistical support and other administrative arrangements.

11. **Mr. Abdallah** (Chad), speaking on behalf of the African Group, said that, with regard to the proposed resource requirements for 2017 for missions under thematic clusters I and II, the Group attached great importance to special political missions, good offices and other political initiatives authorized by the General Assembly and the Security Council to prevent conflict, build sustainable peace, and achieve reconciliation and development. Despite progress on the ground, the

operational environment in conflict and post-conflict areas was difficult, while emerging conflicts, the proliferation of weapons and extremist activities had resulted in the mass displacement of civilians. Adequate resources must be allocated to allow special political missions to discharge their mandates, and the recommendations of the High-level Independent Panel on United Nations Peace Operations (A/70/95-S/2015/446) must be taken into consideration, on the basis of the priorities set for the missions for 2016 in the areas of prevention, partnerships, planning and analysis and the conduct of operations.

12. The Group would seek clarification regarding the estimated expenditure for 2016 of $29,619,900 for missions under thematic cluster I, which was $2,693,100 more than the appropriation of $26,925,900; and of $32,430,100 for missions under thematic cluster II, which was $1,227,000 less than the appropriation of $33,657,100. With regard to the proposed resources for the two clusters for 2017, it would seek clarification regarding the operational requirements of the missions, particularly in Africa, and would request further information regarding their performance, the justification for the proposed resources, and the use of extrabudgetary funds. The Group noted the increase in expenditure on consultancy, official travel, facilities and infrastructure, and services and equipment, and would seek further information regarding the decreased utilization of appropriations in certain missions. He would seek clarification regarding the recurrent failure to fill vacant positions, the proposed application of a 0 per cent vacancy rate under cluster II in 2017, and the need to maintain job openings beyond the time frames set by the General Assembly. He would also seek detailed information regarding the achievement of equitable geographical representation and gender balance in the staffing structure, particularly at the most senior levels and in teams and panels of experts.

13. The Group welcomed the collaboration between special political missions and regional and subregional organizations. The Secretary-General should ensure synergies and efficiencies among the many United Nations entities involved in conflict prevention and mediation in Africa. National and regional knowledge and expertise should be built, best use should be made of the comparative advantages of regional and subregional organizations, and the capacity of such organizations should be enhanced. The Group was concerned about the increased reliance of missions on consultancies; in-house capacities at the United Nations and in the region and subregions should be used in the work of the missions.

14. With regard to the request for a subvention to the Residual Special Court for Sierra Leone, he recalled that when the General Assembly, by its resolution 70/248 A, had authorized the Secretary-General to enter into commitments in an amount not to exceed $2,438,500 to supplement the voluntary financial resources of the Court for 2016 as a bridging mechanism, it had also requested the Secretary-General to develop alternative sustainable options for the financing of the Court and to report on them to the Assembly. The voluntary nature of the contributions posed challenges to the sustainability of the Court. Despite the efforts of the Oversight Committee and the principals of the Court to raise funds for the next three to five years, the Court would not receive sufficient voluntary contributions to continue its operations in 2017. In the interests of international peace and security, particularly in West Africa, the Court must have sustainable funding so that it could fulfil its mandate. Its costs should be met from the programme budget, and the Group therefore supported the Secretary-General's request for a subvention.

15. **Mr. Imada** (Japan) said that, with regard to the revised estimates resulting from the decisions contained in General Assembly resolution 70/290, entitled "High-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants", Japan endorsed the observations and recommendations of the Advisory Committee, which had emphasized the need for the General Assembly to make informed decisions. In several cases, his delegation had been in doubt regarding whether the resolutions, rules and regulations related to the adoption of draft resolutions with programme and budgetary implications had been complied with. It attached great importance to the Advisory Committee's comment that the Secretary-General should ensure that the rules of procedure were respected.

16. **Mr. Awad** (Syrian Arab Republic) said that, with regard to the estimates in respect of special political missions under thematic cluster I, his Government had always supported the Special Envoy of the Secretary-

General for Syria, whose success was also success for Syria and its people, just as it had supported the former Joint Special Representative of the United Nations and the League of Arab States for Syria and the former Joint Special Envoy of the United Nations and the League of Arab States to Syria. A political solution and the success of a number of initiatives required concerted international efforts to combat terrorism in Syria, the region and the world. His Government had called repeatedly for a clear position to be taken in relation to countries that supported armed terrorist groups in Syria. It called on those countries, which were known to all, to stop arming, financing, training and harbouring members of such groups. The Secretary-General's report on the estimates in respect of missions under thematic cluster I (A/71/365/Add.1) did not mention the terrorism in Syria or Security Council resolutions 2170 (2014), 2178 (2014), 2199 (2015) and 2253 (2015), which condemned Islamic State in Iraq and the Levant (ISIL) and the Nusrah Front and their affiliates. His Government had drawn attention to the problem at the seventieth session of the General Assembly, to no avail. The term "armed groups" was repeatedly used in the Secretary-General's reports instead of "armed terrorist groups" to describe the groups that the Special Envoy had invited to the Geneva conferences on Syria even though they were included in the list of terrorist organizations compiled by the Security Council.

17. The Secretary-General's report on the proposed resources for 2016 for missions under thematic cluster I (A/70/348/Add.1) had mentioned the proposals for the establishment of "freeze zones" in Aleppo and the Special Envoy's announcement that the Syrian Government had committed to suspending the aerial bombardment of the city for six weeks to allow the delivery of humanitarian assistance. In stating that the freeze had not been announced owing to a lack of agreement by the parties, however, the report on the proposed resources for cluster I missions for 2017 (A/71/365/Add.1) failed to state that his Government had honoured its commitment to suspend operations and blamed all involved, including his Government, for the failure of the proposal.

18. The report on the proposed resources for 2016 (A/70/348/Add.1) had contained, as an indicator of achievement for the Office of the Special Envoy of the Secretary-General for Syria, the increased engagement of representatives of his Government and all opposition groups, except those subject to sanctions, in the resolution of the crisis. That indicator had been deleted from the report on the proposed resources for the Office for 2017 (A/71/365/Add.1), and his delegation wondered whether the Special Envoy intended to include terrorist groups in the dialogue without discriminating between them and other groups. In the report, the situation in Syria was variously described as a "crisis", "war" or "conflict", which gave the impression of a lack of coordination or knowledge of the legal implications of those terms among the report's authors. The objectives of the Office of the Special Envoy for 2016 had included the achievement of a Syrian-led political solution to the crisis, but in the current report (A/71/365/Add.1) the word "crisis" had been replaced by "conflict". The concept of "war" included inter-State conflicts, which were governed by the Geneva Conventions, and was entirely different from the acts committed in his country by terrorist groups on behalf of certain Western countries. He expressed a reservation regarding the reference to the League of Arab States, because the Special Envoy was an official of the United Nations with no link to the League. The report also mentioned General Assembly resolutions on the situation in Syria that had not been adopted by consensus and expressed unilateral and biased positions intended to mislead the Member States and divert attention from international and regional proxy conflicts in Syria.

19. The success of the political process depended on the support of Syria, the most important partner. His Government would cooperate unconditionally with the Special Envoy in line with the agreements on which the dialogue was based, free of foreign interference. The process should be led by Syrians, so that a political solution that respected Syrian sovereignty, territorial integrity and independence could be reached. He hoped that the Secretariat would issue a correction to the Secretary-General's report (A/71/365/Add.1) that took into account the comments of his delegation, which would seek clarification regarding the proposal to increase the number of posts, particularly those funded by extrabudgetary resources, for the Office of the Special Envoy. His Government had made every effort to provide the Special Envoy with the resources he needed to fulfil his mandate.

20. **Ms. Yang** Liyang (China) said that special political missions were important to the maintenance of international peace and security by the United Nations. They should intensify their good offices in line with their mandates and should contribute to the prevention and resolution of conflicts and to peacebuilding. In deploying such missions, the United Nations should consult the host countries, whose concerns should be reflected in the related political decision-making and budgetary arrangements. The overall resources for special political missions represented one fifth of the regular budget and were constantly increasing. The proposed resources for missions under thematic cluster I for 2017 greatly exceeded previous appropriations. While adequate, predictable budgetary resources should be allocated to the missions, the Secretariat should be realistic in the preparation and implementation of the budget, improve the resource utilization rate, control the volume of the budget and make best use of Member State contributions.

21. **Mr. Burity** (Angola) said that, among the special political missions, his Government attached particular importance to the Personal Envoy of the Secretary-General for Western Sahara, the Office of the Special Envoy of the Secretary-General in the Great Lakes Region, the Office of the Special Envoy of the Secretary-General for the Sudan and South Sudan, and the Office of the Special Envoy of the Secretary-General for Syria. Such missions, which often functioned in conflict and post-conflict situations and in environments destabilized by transnational organized crime, drug trafficking and extremist activities, must be allocated adequate resources to fulfil their mandates. They operated in diverse political, socioeconomic and security conditions, and their increasingly complex functions varied from conflict prevention and the facilitation of peace agreements to specialized tasks and peacebuilding. They needed strong financial support from Member States to discharge their mandates.

22. Despite the Secretariat's efforts to align the budgets of special political missions with those of peacekeeping operations, the size of the missions justified a reappraisal of their funding and backstopping arrangements, which were no longer optimal. The proposed resources for 2017 amounted to $34,385,900 for missions under thematic cluster I, $7,460,000 more than the 2016 allocation, and $34,881,600 for missions under thematic cluster II, $1,224,500 million more than the 2016 allocation. Since special political missions were increasingly important in preventive diplomacy, mediation and conflict prevention, particularly in Africa, their operational arrangements and role should be enhanced in line with the recommendations in the report of the High-level Independent Panel on Peace Operations (A/70/95-S/2015/446).

23. **Mr. Allawi** (Iraq) said that the Secretary-General's reports must be issued in a timely manner, despite the heavy workload of United Nations staff, so that Member States could discuss them in detail. His delegation welcomed the contributions of Member States to the budgets of special political missions, in particular the United Nations Assistance Mission for Iraq. His Government would provide the best possible services to help the Mission fulfil its mandate. His delegation would participate actively in informal consultations, during which it would make observations on the reports currently under consideration by the Committee. Consensus on draft resolutions must be reached within the time allocated for the Committee to conclude its work.

24. **Mr. Sumah** (Sierra Leone) said that his Government and the United Nations had established the Residual Special Court for Sierra Leone in August 2010 to discharge the residual legal obligations of the Special Court for Sierra Leone, which included supervision of the enforcement of sentences, the review of convictions and acquittals, the conduct of contempt of court proceedings and referrals, witness and victim protection and support, and the maintenance, preservation and management of the archives of the Special Court. His Government had worked with all stakeholders to address the funding of the Residual Special Court, and in June 2016 the Secretary-General had appealed to all Member States to support the Court financially. The Court had not, however, received sufficient voluntary contributions to continue its operations in 2017, and the financial challenges facing it affected its ability to perform its mandate. The Special Court had been established to address impunity following widespread human rights abuses during the civil war in Sierra Leone and to ensure that those responsible were brought to justice. Those purposes would be served by ensuring the financial sustainability of the Residual Special Court,

which served as a deterrent to human rights abuses and the emergence of conflict in the Mano River basin and the West Africa subregion in general. His Government would collaborate with other Member States and development partners to secure sustainable funding for the Court, which furthered the purposes of the United Nations, in particular the maintenance of international peace and security. He urged the Committee to endorse the Secretary-General's request for a subvention of $2,980,500 for 2017.

25. **Mr. Sánchez Azcuy** (Cuba) said that the funding of special political missions under the regular budget was unsustainable. The vast majority of such missions had been established by decisions of the Security Council and should therefore be funded in the same way as peacekeeping operations, using the applicable scale of assessments and a dedicated account. The resources assigned to special political missions amounted to more than 20 per cent of the regular budget, a proportion that reflected a general upward trend in those resource requirements. The situation was not a balanced reflection of the priorities established by the General Assembly. In addition, some of the issues addressed by special political missions did not fall strictly within the scope of their mandates and the current procedure for approving and monitoring the missions denied the General Assembly oversight of them.

26. With regard to cluster I missions, his delegation was opposed to the inclusion of the responsibility to protect in the estimates for special political missions under the mandate of the Special Adviser on the Prevention of Genocide. There was no intergovernmental agreement justifying the position of Special Adviser on the Responsibility to Protect under the auspices of the Office of the Special Adviser on the Prevention of Genocide, and the General Assembly had had no say in the establishment of the position of Special Adviser on the Responsibility to Protect. In a letter to the President of the Security Council (S/2007/721), the Secretary-General had stated that the establishment of the position would strengthen the operational impact of the Office of the Special Adviser on the Prevention of Genocide, in recognition of the link between large scale atrocities and threats to peace and security. Historical injustices and inequalities, poverty and underdevelopment could not be tackled through sanctions and interventions, which often contributed to further violence. Worse still were attempts to manipulate those unfortunate realities to promote such concepts as the responsibility to protect, which undermined international law, State sovereignty and the fundamental responsibility of States to ensure the well-being of their citizens. Cuba therefore rejected the concept of the responsibility to protect and opposed the maintenance of the position of Special Adviser on the Responsibility to Protect. His Government's position should not, however, be interpreted as a rejection of the work of the Special Adviser on the Prevention of Genocide. Yet the establishment of the position of Special Adviser on the Responsibility to Protect represented a departure from the letter and spirit of paragraphs 138 and 139 of General Assembly resolution 60/1. There was no legal basis for carrying out activities related to the responsibility to protect, as the Assembly, in its resolution 63/308, had decided to continue considering the concept. As the concept had not been reviewed in intergovernmental forums, and no definition had been approved by the Assembly, reference to it was not appropriate. Bearing in mind those concerns, his delegation would propose changes to the presentation of the estimates in respect of the Special Adviser on the Prevention of Genocide.

Proposed regional restructuring of the Office of the High Commissioner for Human Rights: increasing efficiency and effectiveness in the implementation of General Assembly resolution 48/141 (A/71/218, A/71/218/Corr.1 and A/71/584)

27. **Ms. Gilmore** (United Nations Deputy High Commissioner for Human Rights), introducing the report of the Secretary-General on the proposed restructuring of the Office of the High Commissioner for Human Rights (OHCHR): increasing efficiency and effectiveness in the implementation of General Assembly resolution 48/141 (A/71/218 and A/71/218/Corr.1), said that the report, which had been prepared taking into account the suggestions and concerns of the Advisory Committee on Administrative and Budgetary Questions and of Member States, set out the High Commissioner's overall vision for the Office and responded to the Assembly's request for further information on the proposed strengthening of OHCHR regional offices.

28. In line with paragraph 4 (j) of General Assembly resolution 48/141, the regional restructuring proposal

was aimed at ensuring the Office's efficiency and effectiveness in delivering its mandate and implementing programme 20, Human rights, of the strategic framework. It aimed to make the Office more robust and relevant and enhance its capacity to address contemporary challenges, its responsiveness to Member States' requests and directives, and its adaptability in the face of shifting opportunities for, and threats to, the advancement of human rights.

29. To fulfil its responsibilities, OHCHR must work with partners to translate international standards and the decisions of Member States into policy and programmes on the ground and must possess the operating capabilities required to provide Member States with the high-quality and timely information, advice and support needed to uphold their human rights obligations. The proposed changes would allow OHCHR to achieve operating efficiencies within its limited resources and provide more accessible, timely and targeted support in the domestic and regional contexts in which Member States operated, thus allowing it to forge constructive partnerships with regional and national stakeholders and strengthen its integration with United Nations country teams and partners.

30. The regional restructuring would entail no changes to the Office's mandate, programme or functions, but would rather enhance its capacity to implement its universal mandate within existing regular budget resources. Under the proposal, a limited number of existing functions, including supervisory and programmatic responsibilities for country-level presences, would be transferred from OHCHR headquarters in Geneva to new and strengthened regional offices. Specifically, six existing regional OHCHR offices, namely, those in Addis Ababa, Bangkok, Beirut, Brussels, Dakar and Panama City, would be strengthened, and two new regional offices would be established in Washington, D.C. and Istanbul. The new offices would improve the geographical reach and balance of OHCHR field deployments. In particular, the Washington, D.C. office would assume core responsibilities for North America and the English-speaking Caribbean, including by supporting the Office's partnership with key regional organizations, such as the Organization of American States and the Inter-American Commission on Human Rights, and its engagement with global and regional institutions focused on matters relating to the right to development, such as the World Bank, thereby strengthening the Office's contribution to the implementation of the Sustainable Development Goals and the advancement of economic, social and cultural rights.

31. In contrast to the proposal submitted in the context of the proposed programme budget for the biennium 2016-2017, none of the Office's field presences would be discontinued, in the light of requests made by Member States. Indeed, given the broad geographical scope of its regional work and the number of countries to be covered, the Office's current regional presences in Bishkek, Pretoria, Santiago and Suva would be maintained as satellites to its regional offices and a new presence would be opened in Bridgetown, Barbados under the Regional Office for North America and the English-Speaking Caribbean. Existing regional offices would continue to support the countries that they currently supported, while new regional offices would support the countries in their respective regions, subject to political, security and linguistic considerations to be discussed in consultation with the countries concerned, in line with the approach adopted by other United Nations entities.

32. To ensure the efficient and effective use of available resources, in accordance with the proposed budget-neutral approach, each regional office would have a minimum staffing structure of six staff members funded from the regular budget (one D-1, one P-5, two P-4 and two P-3 posts) that could be adapted in line with regional priorities using extrabudgetary resources. The proposal entailed the movement of only 18 posts out of Geneva, the reclassification of 9 posts, and the replacement of 3 Geneva-based General Service posts with new field-based Professional posts. Those changes affected just 4 per cent of regular budget staff and did not affect the Office's critical support functions for the Human Rights Council, treaty bodies and special procedures. The reforms would be funded from the savings generated by the movement of regular budget posts and the related resources to lower-cost duty stations, which would allow the Office to allocate more resources to technical cooperation and capacity-building activities. Consequently, the regular budget resources allocated to technical cooperation activities would increase by nearly $100,000, and almost $800,000 in extrabudgetary savings would be used to

cover one-time costs in the first year of implementation, as well as additional technical cooperation activities in subsequent years.

33. The aim of the proposal was not to serve as a cost-saving exercise, but rather to ensure the most strategic and fiscally responsible use of existing resources to support Member States in delivering their human rights commitments. Any changes to the proposal could undermine that aim; in particular, any reduction in the Office's resources would be ineffective, as human rights already received the least regular budget funding of the Organization's three pillars.

34. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/71/584), said that the Advisory Committee saw merit in the Secretary-General's updated proposal. With regard to the proposed minimum staffing structure of OHCHR, the Advisory Committee recognized the need for regional offices to be led at the D-1 level, with additional support to be provided by senior staff. With respect to the proposed redeployments of posts at the P-4 and P-3 levels, it recommended the provision of general temporary assistance positions until such time as the specific needs and workload of each regional office could be assessed.

35. Establishing an office in Bridgetown, instead of Washington, D.C., would provide optimal regional coverage for North America and the Caribbean. In addition, any liaison functions with regional entities or international financial institutions could be undertaken by the OHCHR office in New York, particularly given the increase in its role in recent years, including as a result of the leadership of the Assistant Secretary-General for Human Rights.

36. **Ms. Wairatpanij** (Thailand), speaking on behalf of the Group of 77 and China, said that the Group recognized the key role of OHCHR in advancing the human rights pillar in a spirit of constructive dialogue and cooperation, and in accordance with the purposes and principles of universality, transparency, objectivity, impartiality, indivisibility and non-selectivity enshrined in the Charter of the United Nations.

37. The Group's support for OHCHR was consistently reflected in the review of the human rights programme undertaken by the relevant intergovernmental bodies. Given the Office's status as a major organizational entity of the Secretariat, Member States must ensure that it received appropriate budgetary support and that its work was in line with relevant intergovernmental mandates, rules and regulations, and the biennial programme plan and priorities approved by the General Assembly. The Group would continue to examine the details of the Secretary-General's revised proposal in conjunction with the comments made by the Advisory Committee in its current and previous reports.

38. **Ms. Baumann** (Switzerland), speaking also on behalf of Liechtenstein, underscored the need to strengthen the human rights pillar, which played a key role in reinforcing the pillars of international peace and security and sustainable development. In that context, efforts must be made to ensure that OHCHR had the resources required to carry out its mandated activities and to improve its functioning by adapting its structure to contemporary needs.

39. Welcoming the High Commissioner's work to involve the Office in strategic policy discussions at the United Nations and enhance the effectiveness of its work in the field, she stressed that an Office consisting of a strong hub at the centre of the system and a network of well-staffed regional offices would be best equipped to protect human rights. The proposed restructuring of OHCHR was thus an important step in shifting its work into the field and increasing its impact. She would seek clarification regarding the implications of including the related resources under the budget line for general temporary assistance instead of for the authorized staffing structure, as that arrangement could weaken the Office's work.

40. **Mr. De Preter** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro and the former Yugoslav Republic of Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, the Republic of Moldova and Ukraine, said that the Secretary-General's proposal provided the level of clarification requested by the Advisory Committee in its first report on the proposed programme budget for the biennium 2016-2017

(A/70/7) and would increase efficiency and effectiveness of OHCHR. He noted that the proposed changes related only to managerial and budgetary aspects of the Office's work; that no change in the location of existing regional offices had been proposed; and that no additional layers of supervision would be introduced. Noting with appreciation the cost-neutrality of the exercise, he acknowledged the need for regional offices to be led at the D-1 level and would seek further details on the proposal in informal consultations.

41. **Ms. Yang** Liyang (China) said that she hoped that OHCHR would incorporate the right to development in all aspects of its work and adopt a balanced approach in advancing all categories of human rights. Member States should participate fully in discussions on the restructuring initiative, given the role of the Office's organizational structure in shaping its strategy for discharging its mandates and working with Member States. OHCHR should therefore present the proposal for consideration by the Fifth Committee, the Third Committee and the Human Rights Council in an open, democratic and transparent manner. Lastly, the Office must deliver its mandates more efficiently within existing budgetary resources, and any proposals to upgrade the level of posts at regional offices or to establish additional offices or posts must be supported by sound rationale and the unanimous agreement of Member States.

42. **Mr. Mendoza-García** (Costa Rica) said that the 2030 Agenda for Sustainable Development envisaged a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination. Grounded in the Universal Declaration of Human Rights, international human rights treaties and a commitment to leaving no one behind, the Agenda emphasized the responsibility of all States to protect human rights.

43. National and international institutions must be adapted to meet the demands of a changing world. In particular, efforts must be undertaken to ensure that operations to protect human rights were suited to address emerging challenges, including by reallocating resources within regions to better meet evolving needs. In that regard, his delegation welcomed the Secretary-General's proposal, which would strengthen the regional presence of OHCHR and allow for more consistent engagement with and support to Member States in all regions.

44. The High Commissioner's responsibility to provide secretariat support to human rights bodies, which entailed covering the increasing demand for the work of the Human Rights Council, treaty bodies, and special procedures, must not detract from his fundamental mandate to engage in dialogue with all Governments with a view to securing respect for all human rights, and to foster cooperation and capacity-building by working closely with countries on the ground. The High Commissioner was responsible for determining where resources should be concentrated and defining the OHCHR field presence in order to ensure effective targeting of human rights monitoring functions and technical assistance for capacity-building. In that regard, instead of attempting to micromanage the process from the outset, Member States should trust the High Commissioner to define the objectives and plan for implementing the restructuring initiative and hold him accountable on the basis of the outcomes achieved. As described in the Secretary-General's report, the proposal merely entailed the redistribution of existing resources and decentralization of functions in order to improve coverage in the field, where most of the Office's activities were carried out.

45. All regions in the world faced similar challenges, which had specific manifestations in each subregion. For instance, while threats to human rights in his region had previously taken the form of large-scale disappearances and restrictions on the right to vote and on civil and political liberties, current efforts focused on challenges relating to transnational organized crime, terrorism, climate change, natural disasters, trafficking in persons, xenophobia, racism and discrimination that accompanied, inter alia, large movements of migrants and refugees. Lastly, Member States must fulfil their responsibility, as set out in General Assembly resolution 48/141, to provide, in conjunction with the Secretary-General, the resources needed to ensure the proper functioning of OHCHR.

46. **Mr. Dalo** (Argentina) said that his delegation attached particular importance to the work of international human rights bodies and underscored the urgent need to ensure adequate and predictable financing for, and efficient management of, activities

relating to human rights, which were financed by only 3 per cent of the United Nations regular budget. He therefore supported the Secretary-General's revised proposal, welcoming in that regard the High Commissioner's intention to strengthen the regional presence of OHCHR in order to ensure greater participation of and support for States in all regions and maximize the resources and capacities available for the effective performance of its tasks.

47. **Mr. Ko** Jae Sin (Republic of Korea) said that the human rights agenda had recently become more complex, particularly in its interrelationship with the pillars of development and peace and security. Closer cooperation between the United Nations and other stakeholders, as well as sophisticated coordination across different areas, particularly in the field, would be essential to advancing that agenda.

48. The current structure of OHCHR was the product of incremental changes over the years and should be improved to meet new challenges in the area of human rights. His delegation therefore welcomed the Secretary-General's proposal, which would facilitate cooperation with stakeholders in the areas of development and peace and security, as well as other key partners, thereby enabling the Office to more effectively and efficiently lead the United Nations human rights pillar.

49. The Secretary-General's report (A/71/218 and A/71/218/Corr.1) provided a clear and detailed response to the questions raised by Member States at the Assembly's seventieth session. In reviewing the restructuring initiative, his delegation would closely examine the location and regional coverage of each hub, the correlation between workload and staff structure, the effectiveness of reporting lines and the cost-effectiveness of the proposal.

50. **Mr. Kalugin** (Russian Federation) said that his delegation had always attached great importance to the effective functioning of OHCHR and believed that any reform to its regional architecture should be consistent with the interests of Member States and the mandates entrusted to it by intergovernmental bodies. Taking note of the reports of the Secretary-General and the Advisory Committee, he underscored the need for the Fifth Committee to consider in detail the implications of the restructuring proposal for the regular budget, as the information provided in relation to the proposal's cost-neutrality seemed incomplete, and to seek further clarification regarding any other areas of concern.

51. **Ms. Norman Chalet** (United States of America) said that the movement of OHCHR staff from Geneva to the field would improve the Office's effectiveness and efficiency, including in responding to emerging crises, in addition to creating hubs of regional human rights expertise and eliminating unnecessary bureaucracy at Headquarters. The proposed field-focused approach would greatly benefit Member States, United Nations country teams, regional offices and other development, peace and security partners and enhance the human rights pillar.

Agenda item 143: Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (A/71/583)

52. **Mr. Lalli** (Secretary of the High-level Committee on Management of the United Nations System Chief Executives Board for Coordination), introducing the note by the Secretary-General transmitting the statistical report of the United Nations System Chief Executives Board for Coordination (CEB) on the budgetary and financial situation of the organizations of the United Nations system (A/71/583), said that the report was the only system-wide source of financial statistics for the organizations of the United Nations system, prepared on the basis of official data contained in the organizations' audited financial statements. The data had been collected by the CEB secretariat, as mandated by General Assembly decisions 47/449, 53/459, 57/557 and 57/558.

53. In response to the request contained in paragraph 16 of General Assembly resolution 63/311, the CEB secretariat had worked with the Department of Economic and Social Affairs to establish a single data collection mechanism and harmonize reporting processes. Consequently, the data collected by CEB in its statistical reporting exercise was also used as the basis for the Department's report on operational activities for development, and the reporting workload of all United Nations organizations had been greatly reduced.

54. Thirty-four organizations had reported their financial data to CEB, and comprehensive details of assessed and voluntary contributions for United

Nations peacekeeping operations as from 2014 were included in the report. The data published in the report, as well as some of the analysis of the figures presented, would soon be updated on the CEB secretariat's website to include 2015 data. The CEB database now contained comprehensive data on seven consecutive bienniums, from 2002-2003 to 2014-2015.

55. All organizations had implemented the International Public Sector Accounting Standards prior to or during the 2014-2015 biennium, with the exception of the International Fund for Agricultural Development, which prepared its financial statements in accordance with the International Financial Reporting Standards. The data presented were thus aligned with the financial statements of each organization, which had been prepared on an accrual basis.

56. Four major categories of revenue had been reported, namely, assessed contributions; voluntary contributions, not specified; voluntary contributions, specified; and revenue from all other activities. In addition, expenses had been reported according to five major programme categories, namely, development assistance; humanitarian assistance; peacekeeping operations; technical cooperation; and normative, treaty-related or knowledge-creation activities. The eight tables in the report showed data on approved budgets; total revenue; voluntary contributions, specified, by organization and donor; voluntary contributions, specified, received from certain non-Member State donors; total voluntary contributions; contributions in kind; expenses; assessed contributions, by organization and Member State; and working capital funds.

Agenda item 115: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(e) Appointment of members of the Independent Audit Advisory Committee (*continued*) (A/71/105/Add.1)

57. **The Chair** drew the Committee's attention to the note by the Secretary-General (A/71/150/Add.1) referring to decision 71/409, whereby the General Assembly, on the recommendation of the Fifth Committee, had decided to appoint two members to the Independent Audit Advisory Committee and to postpone to a later date the appointment of one member to fill the remaining vacancy. The Secretary-General had also informed the Assembly that the Government of the Philippines had nominated Ms. Pulido Tan to fill the vacancy for a three-year term of office beginning on 1 January 2017, and that the Group of Asia-Pacific States had endorsed her candidature. She took it that the Committee wished to recommend her appointment by acclamation.

58. *Ms. Pulido Tan (Philippines) was recommended for appointment to the Independent Audit Advisory Committee for a three-year term of office beginning on 1 January 2017.*

The meeting rose at 12.25 p.m.